

Appl. No. 09/621,234  
Amdt. Dated October 20, 2003  
Reply to Office Action of August 25, 2003

**Bereskin & Parr** 

Barristers and Solicitors/Patent and Trade Mark Agents  
Practice Restricted to Intellectual Property Law

Appl. No : 09/621,234  
Applicant : HENSHAW et al.  
Filed : July 20, 2000  
Title : VERTICAL CYLINDRICAL SKEIN OF HOLLOW FIBER  
MEMBRANES AND METHOD OF MAINTAINING CLEAN FIBER  
SURFACES

TC./A.U. : 1723  
Examiner : FORTUNA, Ana M.

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Docket No. : 4320-241

OCT 21 2003

Honorable Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

OFFICIAL

October 20, 2003

## RESPONSE

Dear Sir:

This is a response to the Office Action mailed on August 25, 2003.

### Surrender of Original Patent

The Office Action states that this application is in condition for allowance except for formal matters. The outstanding formal matter is that the original patent had not been surrendered. The original patent was surrendered by letter from the Applicants dated August 25, 2003 and received in the patent office on August 26, 2003. The Applicants submit that all formal matters have now been satisfied.

please send your reply to

Meadowdale Corporate Centre, 2000 Argentia Road  
Plaza 4, Suite 430, Mississauga, Ontario, Canada L5N 1W1  
t: 905 612 3600 f: 905 814 0031

Scotia Plaza, 40 King Street West, 40th Floor  
Toronto, Ontario, Canada M5H 3Y2  
t: 416 364 7311 f: 416 361 1398

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### Interview Summary

An interview was held with the examiner on August 19, 2003 as indicated in the Examiner's Interview Summary attached to the Office Action section. Pursuant to MPEP Section 713.04, the Applicant makes the following comments.

- a) No exhibits were shown or demonstrations conducted.
- b) Claims 15-22 were discussed.
- c) No prior art was discovered.
- d) Amendment to claim 15 was discussed to include reference to a flexible support means similar to that provided in claim 21. The agent for the Applicants indicated that he would make a proposed amendment in writing suggesting how elements of claim 21 could be integrated with claim 15 (b) (i). The agent for the Applicants also indicated that the reference to "terminal end portions" may be improperly limiting. Although not specifically discussed during the actual interview, the amendment proposed by the Applicants deletes the reference to the terminal end portions of the fibers and to the fibers being spaced apart from each other by one or more potting materials.
- e) Regarding claims 15-20, the recapture rejections were discussed as previously raised in the record. Claim 21 was indicated to be allowable if written in independent form. The Examiner stated that Claim 22 would not be allowable for adding new matter. In reply, the agent for the Applicants argued that potting resins which are flexible and which support the fibers are described in the specification. Agreement was reached as described in part d) above, to make amendments such that claims 15-18 would overcome the rejections, although the agent for the applicants does not admit that the claims prior to amendment are not allowable.
- f) No other pertinent matters were discussed.
- g) The general results or outcome of the interview are already described in the Interview Summary form completed by the Examiner.

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- h) The Applicants' proposed amendments were submitted via electronic mail and are as attached to the Office Action.

Respectfully submitted,

**HENSHAW et al**  
Agents for the Applicant

By Scott R. Pundsack  
Scott R. Pundsack  
Reg. No. 47,330

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Scotia Plaza, 40 King Street West, 40<sup>th</sup> Floor  
Toronto, Ontario, Canada M5H 3Y2  
t: 416 364 7311 f: 416 361 1398

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TELEFAX TRANSMITTAL

TO: United States Patent Office  
FAX NO.: 1-703-872-9306  
FROM: Scott R. Pundsack  
DATE: October 20, 2003

PAGES: 6  
(Including cover sheet)

File No.: 4320-241  
Lawyer No.: 180

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Lisa Peers at (416) 364-7311, ext. 6538

COMMENTS:

Please see attached.

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PTO/SB/97 (08-00)

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Response to Office Action dated August 25, 2003 (3 pages)  
Transmittal Form (1 page)

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/621,234	
	Filing Date	July 20, 2000	
	First Named Inventor	HENSHAW	
	Art Unit	1723	
	Examiner Name	FORTUNA, Ana M.	
Total Number of Pages in This Submission	4	Attorney Docket Number	4320-241

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):		
<table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">Remarks</td> <td></td> </tr> </table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Scott R. Pundsack Registration No. 47,330 BERESKIN & PARR
Signature	
Date	October 20, 2003

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